



Entered on Docket
April 01, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320
Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: jhinderaker@lrlaw.com
Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE J
JIREH'S CORPORATION LOAN**

Hearing Date: March 25, 2008
Hearing Time: 9:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the J Jireh's Corporation Loan (the "Objection") [DE 5833]. Adequate
4 notice of the Objection was given. The Court heard the Objection on March 25, 2008. No
5 responses were filed to the Objection and no opposition was raised at the hearing. Good
6 cause appearing,

7 IT IS ORDERED:

- 8 • Sustaining the Objection;
- 9 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
10 are based upon an investment in the J Jireh's Corporation Loan. The Proofs of
11 Claim listed in Exhibit A are not affected by this order to the extent they are
12 based upon an investment in a loan(s) other than the J Jireh's Corporation Loan;
13 and
- 14 • Reserving the right of any party in interest, including the USACM Trust, to
15 further object to the Proofs of Claim listed on Exhibit A attached.

16 ###

17 PREPARED AND SUBMITTED:

18 **LEWIS AND ROCA LLP**

19 By: /s/ RC (#0006593)

20 Susan M. Freeman

21 Rob Charles

22 John Hinderaker

23 *Attorneys for USACM Liquidating Trust*

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

**J JIREH'S
Multiple Loan Claim**

**EXHIBIT A
FIRST OMNIBUS OBJECTION**

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the J Jireh's Loan
10725-00650	Alamo Family Trust DTD 12/30/86	c/o Antonio C. Alamo Trustee 85 Ventana Canyon Drive Las Vegas, NV 89113	\$1,500,000.00	\$200,000.00
10725-02130	Suzanne L. Arbogast	1005 West Buffington Street Upland, CA 91784	\$229,794.79	\$100,000.00
10725-02128	Burgarello Inc. Profit Sharing Plan	c/o Ronald A Johnson TTEE 50 Snider Way Sparks, NV 89431-6308	\$202,800.00	\$50,000.00
10725-02263	Burgarello Inc. Profit Sharing Plan	Ronald A. Johnson TTEE 50 Snider Way Sparks, NV 89431-6308	\$202,800.00	\$50,000.00
10725-02129	Cibb Inc. Pension Plan	Ronald A. Johnson TTEE 50 Snider Way Sparks, NV 89431	\$202,800.00	\$50,000.00
10725-02261	Cibb Inc. Pension Plan	Ronald A. Johnson TTEE 50 Snider Way Sparks, NV 89431	\$202,800.00	\$50,000.00
10725-00231	Donald P. Clark Family Trust DTD 10/25/94	c/o Donald P. Clark Trustee 305 West Moana Lane Reno, NV 89509-4924	\$709,011.56	\$50,000.00
10725-01601	Donald Clark	305 West Moana Lane Reno, NV 89509	\$775,918.76	\$54,708.90
10725-02059	Jack R. Clark and Linda C. Reid JT TEN	9900 Wilbur May Pkwy #4701 Reno, NV 89521-3089	\$891,016.03	\$100,000.00
10725-00092	James Corison	P.O. Box 21214 Riverside, CA 92516	\$1,023,000.00	\$50,000.00